

**DECISION RECORD
PETE PROJECT
ENVIRONMENTAL ASSESSMENT
BLM/EK/PL-2002/023
(3809, NVN-70574)**

Introduction

Newmont Mining Corporation (Newmont) proposed to the Bureau of Land Management (BLM) Elko Field Office an amendment to the Carlin Mine Plan of Operations called the Pete Project. The Pete Project is located approximately 19 miles northwest of Carlin, Eureka County, Nevada, in the Carlin Trend. The proposed Pete Project includes mining three open pits (Pete, Castle Reef, and Crow), construction of a waste rock disposal facility, refractory ore stockpile, and ancillary facilities. The proposed project would occur over a period of seven years. This project would not require dewatering. The proposed activities would create a total of 863 acres of disturbance of which 520 acres would occur on public lands and 343 acres would occur on private lands.

Decision

It is my decision to authorize the Pete Project as described in the proposed action of Environmental Assessment BLM/EK/PL-2002/023. This decision is contingent on meeting the monitoring requirements and stipulations listed below:

Monitoring

A BLM representative will conduct regular field inspections throughout construction, operation, and reclamation activities associated with the Proposed Action. All field compliance inspections will be documented in the Project file at the BLM Elko Field Office.

A Newmont representative will conduct periodic monitoring and documentation of erosion control and sedimentation structures; and evaluate surface erosion relative to individual mine units. Annual observations will be conducted to visually assess the function of erosion control mechanisms and structures that have been constructed, and the overall erosional stability of the area. Upon consultation with and approval by the BLM and Nevada Division of Environmental Protection (NDEP), appropriate measures will be taken to implement corrective action when required.

Newmont will continue to implement the existing waste rock monitoring program. A copy of the Water Pollution Control Reports required by NDEP as a condition of the Water Pollution Control Permit will also be submitted to the BLM by Newmont.

Newmont will be required to monitor for waste rock seepage for up to 30 years after reclamation is completed at the Pete Project site. This monitoring period will be reviewed periodically by the agencies to determine if modifications are warranted and whether long-term bonding will be necessary.

During the life of the Pete Project, BLM, NDOW, and Newmont will conduct an annual inspection in August of the primary and secondary mule deer migration routes within the boundary of the Carlin Plan of Operations. During the inspection, any barriers or obstructions (e.g. steep slopes-cuts, fill slopes, berms, structures, etc.) will be identified and means to mitigate barriers/obstructions will be agreed upon prior to the fall mule deer migration. A written schedule for mitigation actions will be documented with all parties with BLM documentation placed in the 3809 Surface Management Minerals file at the Elko Field Office.

Stipulation

Of the 1,901 acres available in the mule deer habitat mitigation bank, 264 acres will be applied as mitigation for mule deer habitat permanently lost due to the Pete and Castle Reef pits. The Crow pit will be mitigated with the Proposed Action. Therefore, 1,637 acres will remain available in the mule deer habitat mitigation bank.

As a result of the permanent loss of 74 acres of public land from the Pete and Castle Reef pits, Newmont will provide off-site enhancement of 74 acres of sage grouse habitat. Enhancement will involve mechanical and/or chemical manipulation or prescribed burning of mature stands of sagebrush (greater than 15 percent shrub foliar cover) in a patchwork pattern, and reseeding the area with an appropriate herbaceous seed mix to improve forage diversity and cover for sage grouse. The priority of this action will be habitat enhancement for affected sage grouse populations within the T Lazy S Allotment. The 74 acres will be treated in this manner on a one-time basis, within three years of issuance of the Decision Record.

Before any surface disturbing activities are initiated, Newmont shall provide good and sufficient financial surety for post-mine closure reclamation to BLM. This reclamation bond currently calculated and approved by the BLM and Nevada Division of Environmental Protection (NRS and NAC 519A) to be \$3,112,974 will be reviewed and updated every three years.

Rationale

As a result of the analysis in the Pete Project Environmental Assessment, BLM/EK/PL-2002/023, it was determined that the proposed action will not result in unnecessary or undue degradation to the public lands. The proposed action is in conformance with the Elko Resource Management Plan, Issue-Minerals, Management Prescription-1.

The implementation of the proposed action will allow Newmont to mine the Pete, Castle Reef,

and Crow ore bodies to the extent described and analyzed in the aforementioned environmental assessment. The proposed action is reasonably incidental in the progression of the development of a mineral deposit. The impacts resulting from the proposed action will be mitigated by the implementation of Newmont's reclamation plan, mandatory regulatory requirements, and the stipulations listed above.

The No Action alternative was not selected because it would not allow Newmont to continue the development of the defined ore deposits, which are partially located on public lands. The General Mining Law of 1872 gives the claimant the right to explore, discover, and diligently develop the mineral deposit(s) on their claims in a prudent manner. The Bureau of Land Management's responsibility is to determine and assure that unnecessary or undue degradation does not occur to the public lands during the exploration for and/or development of locatable mineral deposit(s).

The decision is subject to appeal pursuant to 43 CFR 3809.4. A party that is adversely affected may file such an appeal in accordance with the procedures in 43 CFR, Part 4. An appeal shall be filed no later than 30 days after the date the Decision Record is available to the public.

Helen Hankins
Field Manager

Date